(*b*) No ; but draft Rules under Article 229 (2) of the Constitution of India regulating the conditions of service of officers and servants of High Court of Mysore have been received by Government from the High Court and they are under consideration of Government.

(*c*) There are cases of promotion to the High Court from the staff in the Subordinate Courts. But such promotions are made taking into account all relevant factors including seniority. But seniority is not the only criterion for promotion.

Sri B. NARAYANASWAMY.—From the answer (*a*), am I to understand that there is no State wide gradation list for the subordinate ministerial staff of the Judicial Department ?

Sri A. G. RAMACHANDRA RAO.—No, Sir.

Sri B. NARAYANASWAMY.—What was the procedure that was being followed prior to the passing of the Constitution ?

Sri A. G. RAMACHANDRA RAO.—The question was being dealt with under the High Court Act.

Sri B. NARAYANASWAMY.—Was there no State-wide gradation list even then, Sir ?

Sri A. G. RAMACHANDRA RAO.—Not that I know of.

Sri B. NARAYANASWAMY.—Sir, you have stated that there is no direct recruitment to the High Court to the ministerial staff. In what way were they being recruited ?

Mr. SPEAKER.—There is answer (*c*).

Sri B. NARAYANASWAMY.—I have asked whether there is any direct recruitment to the High Court to the ministerial staff and the answer given is 'No.' How were they recruited, whether by promotion, or how ?

Sri A. G. RAMACHANDRA RAO.—My information is, mostly by promotion from the subordinate courts.

Sri B. NARAYANASWAMY.—Sir, it is now being said that draft rules are pending before the Government. What is the procedure that is now being followed before the rules are finalised, *i.e.*, pending that question ?

Sri A. G. RAMACHANDRA RAO.—That issue has not arisen.

Sri B. NARAYANASWAMY.—Are there no cases where seniors have been ignored and juniors have been promoted to the High Court?

Sri A. G. RAMACHANDRA RAO.—Such a thing may have happened. Promotions are not always governed by seniority only.

Sri B. NARAYANASWAMY.—May I know in how many cases seniority has been ignored ?

Sri A. G. RAMACHANDRA RAO.—Notice, Sir.

Sri G. PUTTASWAMY.—Is it not a fact that there is a rule that a gradation list should be maintained ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri G. PUTTASWAMY.—Is it followed, Sir ?

Mr. SPEAKER.—That is why there is the last sentence.

Abolition of Courts during the Current Year.

Q.—327. Sri M. V. RAMA RAO (Tumkur).—

Will the Government be pleased to state :—

(*a*) whether any and, if so, which of the Courts of District Judge, Subordinate Judge, Munsiff, or Magistrate have been abolished or closed down during the current year ;

(*b*) the reasons for the abolition of each such Court ;

(*c*) the arrangements made for the prompt disposal of the work pending before each such Court as on the date of its abolition ;

(*d*) whether the High Court has concurred with Government in the matter of abolishing these Courts and, if not, the special considerations which weighed with the Government ;

(*e*) the number of officers of the Revenue or other Departments who have been appointed to preside over courts in the place of judicial officers together with their names and original designation ;

(*f*) the reasons in each case for replacing a judicial officer by the executive officer to preside over a court ?

A.—**Sri A. G. RAMACHANDRA RAO** (Minister for Law and Education).—

(*a*) the following courts have been abolished :—

(1) The Court of the Additional First Class Magistrate, Chikballapur.

(2) The Court of the Additional Munsiff, Bangalore. This Court was in charge of House Rent Control work also.

(3) The Court of the Additional Munsiff, Mysore. This Court was in charge of House Rent Control work also.

The following additional appointments have also been terminated :—

(1) Third Additional District Judge to the District Judge's Court, Bangalore Divi sion.

(2) Additional Munsiff, Bangalore Division, working as Additional Munsiff, to the Munsiff's Court, Ramanagaram.

(3) Additional Munsiff *cum* Sub-Divisional Magistrate, Hospet.

(*b*) To meet the emergency arising out of the integration with Bellary as well as in the interests of economy and efficiency.

(*c*) Arrangements made by Government are expected to meet the situation satisfactorily.

(*d*) (1) No.

(2) *Vide* answer to (*b*).

(*e*) Two Assistant Commissioners.

(i) Sri H. M. Boranna, Personal Assistant to the Deputy Commissioner, Bangalore, has been appointed as House Rent Controller for the area comprising the City of Bangalore as defined in Bangalore Municipal Corporation Act, 1949, including Ramachandrapuram Extension.

(ii) Sri P. S. Rajasekharappa, Personal Assistant to the Deputy Commissioner, Mysore District, has been appointed as House Rent Controller for the City of Mysore.

N. B.—Sri B. C. Chennaraj Urs, Assistant Commissioner in charge of the Bangalore Sub-Division was tentatively appointed as House Rent Controller for the City of Bangalore in view of the urgency of the matter and he was relieved of his duty subsequently by Sri H. M. Boranna.

Sri M. S. Swaminathan, Deputy Commissioner, Mysore, was, as a temporary measure, appointed as House Rent Controller for the Mysore City and subsequently Sri P. S. Rajasekharappa, Personal Assistant to the Deputy Commissioner, Mysore, was appointed as House Rent Controller for Mysore City.

(*f*) It is not necessary that the House Rent Controllers should be officers of the Judicial Department and as such, two officers of the Revenue Department (Assistant Commissioners) were posted for the vacant places of the House Rent Controllers of Bangalore and Mysore as in other Districts.

Sri M. V. RAMA RAO.—May I know, in respect of the Additional First Class Magistrate's Court at Chickballapur, when this court was established and what was the pendency in that court on the date on which it was abolished ?

Sri A. G. RAMACHANDRA RAO.—I shall ascertain and let you know.

Sri M. V. RAMA RAO.—Is it possible to state the date on which the other two additional courts that have been abolished, namely, the Munsiff's Court at Bangalore and the Munsiff's Court at Mysore, were established and why ?

Sri A. G. RAMACHANDRA RAO.—They were additional courts appointed to liquidate pending cases. They were renewed year after year once or twice. It is now felt that there is no necessity for further renewal.

Sri M. V. RAMA RAO.—Were those courts established because there was a pressure of work in the original court, Sir ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri M. V. RAMA RAO.—Then, what was the volume of work that was pending disposal before the additional courts as on the date of abolition ? Has not Government examined that point before abolishing these courts ?

Sri A. G. RAMACHANDRA RAO.—We examined that point, Sir.

Sri M. V. RAMA RAO.—What was the pendency in any of the courts? Could the Government be pleased to state the volume of work before any of these courts were abolished?

Sri A. G. RAMACHANDRA RAO.—I will furnish the information regarding pendency after getting the same.

Sri M. V. RAMA RAO.—What is the alternative arrangement that has been made for the disposal of the pending work in the courts that have been abolished?

Sri A. G. RAMACHANDRA RAO.—It is obvious that the work of these abolished courts reverts to the principal court.

Sri M. V. RAMA RAO.—Does it not have the effect of restoring the old position when owing to pressure of work additional courts were established?

Sri A. G. RAMACHANDRA RAO.—Not necessary.

12-30 P.M.

Sri M. V. RAMA RAO.—What happens when the additional court is abolished? Can the work be sent back to the original court where on account of the volume of work it is not possible to dispose of the additional cases?

Sri A. G. RAMACHANDRA RAO.—It might be not necessary. If there in not much work, the Principal Judge will be able to discharge the additional work, if any.

Sri M. V. RAMA RAO.—What is the emergency that is referred to in part (*b*) of the Question: "To meet the emergency arising out of the integration with Bellary as well as in the interests of the economy and efficiency."?

Sri A. G. RAMACHANDRA RAO.—The integration with Bellary necessitated the appointment of six judicial officers in that area. That is the emergency arising.

Sri M. V. RAMA RAO.—Was it not possible to retain the judicial officers who were already presiding over those courts?

Sri A. G. RAMACHANDRA RAO.—No.

Sri M. V. RAMA RAO.—Why not?

Sri A. G. RAMACHANDRA RAO.—Because that formed part of the agreement.

Sri M. V. RAMA RAO.—Was there not any other method of managing the courts with the presiding officers except the abolition of the additional courts?

Sri A. G. RAMACHANDRA RAO.—We have canvassed all available methods.

Sri M. V. RAMA RAO.—How do Government propose to make arrangements for the prompt disposal of the pending cases in all the courts that have been abolished and which have been sent back to the original court?

Sri A. G. RAMACHANDRA RAO.—If the Government were to get a report that there is excess of work, they will certainly examine the position.

Sri M. V. RAMA RAO.—In the courts which have been abolished, the Government must certainly have ascertained the volume of pendency in those courts and the Hon'ble Minister is not in a position to place that information now although I have given notice of this question long back. Am I to understand that it was on a rough computation of pendency that the abolition was made?

Sri A. G. RAMACHANDRA RAO.—Yes, that factor was also there.

Sri M. V. RAMA RAO.—Did you ascertain the state of actual pendency from the High Court before the decision to abolish the courts was taken?

Sri A. G. RAMACHANDRA RAO.—The necessity for further continuance or otherwise was ascertained.

Sri M. V. RAMA RAO.—Answer to (*d*) is put down as 'No'. Why is it that concurrence was not obtained from the High Court?

Sri A. G. RAMACHANDRA RAO.—It is obvious that there is divergence of opinion.

Sri M V. RAMA RAO.—Were not these additional courts established at the instance of the High Court or with their concurrence?

Sri A. G. RAMACHANDRA RAO.—Yes, in consultation with the High Court those additional courts were established.

Sri M. V. RAMA RAO.—Is it the position that the High Court would not concur with the abolition of these additional courts although there was no additional work to be performed by these courts ?

Sri A. G. RAMACHANDRA RAO.—To a certain extent, yes.

Sri M. V. RAMA RAO.—Then will the Hon'ble Minister lay on the table of the House the actual volume of the pending work in each of these courts at the time they were abolished ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri T. MARIAPPA.—How many vacancies arose in Bellary area ?

Sri A. G. RAMACHANDRA RAO.—Six.

Sri T. MARIAPPA.—Was it with a view to provide officers in Bellary area that these courts were abolished ?

Sri A. G. RAMACHANDRA RAO.—That factor was also there.

Sri T. MARIAPPA.—From which courts you drew officers to be posted to Bellary ?

Sri A. G. RAMACHANDRA RAO.—From several courts in the State.

Sri T. MARIAPPA.—Did the Government exactly ascertain before integration, the number of vacancies that might arise in Bellary ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri T. MARIAPPA.—To make provision for the courts in Bellary area, you called for the list of candidates from the High Court ?

Sri A. G. RAMACHANDRA RAO.—Yes. We called for a small list in order to meet the demand that might arise.

Sri T. MARIAPPA.—How many vacancies had arisen in the courts of the Mysore State in addition to the six vacancies that arose in Bellary ?

Sri A. G. RAMACHANDRA RAO.—So far as I know, there is no vacancy in Mysore State.

Sri T. MARIAPPA.—Is it after the receipt of the letter from the High Court recommending certain names you took steps to abolish these additional courts ?

Sri A. G. RAMACHANDRA RAO.—Just about that time.

Sri T. MARIAPPA.—Is it after the receipt of the letter from the High Court recommending certain names that you abolished ?

Sri A. G. RAMACHANDRA RAO.—The appointments had to be made by the first of October and the list also came some time before it.

Sri T. MARIAPPA.—Had the Government examined the cases fully before passing the orders of abolition ?

Sri A. G. RAMACHANDRA RAO.—All aspects were considered.

Sri T. MARIAPPA.—Had you the necessary materials before you before you passed orders ?

Sri A. G. RAMACHANDRA RAO.—Yes.

Sri T. MARIAPPA.—Had you in view the number of cases pending before the courts before you passed orders ?

Sri A. G. RAMACHANDRA RAO.—They supplied information as to the number of pending cases.

Sri T. MARIAPPA.—Who supplied that information ? Did you get it from the High Court ?

Sri A. G. RAMACHANDRA RAO.—From several sources we got information.

Sri T. MARIAPPA.—From which sources ? From the District Magistrate or from the High Court ?

Sri A. G. RAMACHANDRA RAO.—From both of them.

Sri T. MARIAPPA.—Was it replied from the High Court that, with regard to the abolition, they did not agree ?

Sri A. G. RAMACHANDRA RAO.—That has been answered already. They did not agree with the view of the Government.

Sri T. MARIAPPA.—Subsequently, you said, you framed rules ; is it with a view to make appointments that you have framed rules ?

Sri A. G. RAMACHANDRA RAO.—Yes, under article 234 of the Constitution.

Sri T. MARIAPPA.—What is the opinion of Government, are there any vacancies arising ?

Sri A. G. RAMACHANDRA RAO.—Now there are no vacancies.

Sri A. BHEEMAPPA NAIK.—Did the Government enquire whether there

were any courts in which the pendency was least or less than that in the courts which you have abolished now? Did you enquire and find out in which courts the pendency was least?

Sri A. G. RAMACHANDRA RAO.—We thought in the first instance that we must consider the issue of the additional courts and then go on, if necessary, to permanent courts. Regarding permanent courts the volume of work that they are doing is also under the examination of the Committee.

Levy of Cess on Coffee

Q.—171. Srimathi B. L. SUBBAMMA (Chikmagalur—Mudigere).—

Will the Government be pleased to state:—

(*a*) since how many years has the levy of cess on coffee experimental farm is in vogue;

(*b*) the item for which the income derived is spent;

(*c*) the period for which it was intended to be levied at the time when it was first introduced;

(*d*) the administration under which the farm is now working; since how many years has it been under the present administration and the amount of expenditure incurred;

(*e*) the amount of cess, tax, duty, etc., levied at present on coffee (per maund or per lb.);

(*f*) the result of the review conducted by the Cost Finding Committee with a view to decide the surplus amount from the coffee crop after taking into account the income derived and the amount spent?

A.—Dr. R. NAGAN GOWDA (Minister for Agriculture).—

(*a*) From 1925 to 1950.

(*b*) The income was spent for the maintenance of the Coffee Experimental Station at Balehonnur.

(*c*) 5 years from 1925-26 in the first instance.

(*d*) From 1st June 1946 the Balehonnur Coffee Farm is under the administration of the Indian Coffee Board. Information regarding expenditure incurred is not available with this Government.

(*e*) Customs duty at Re. 1 per cwt. is collected on coffee exported. Excise duty at Re. 1 per cwt. is also levied.

(*f*) Information is not available with this Government.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಪ್ರಾರಂಭದಲ್ಲಿ 1925-26 ರಿಂದ 5 ಪರ್ಷಗಳಕಾಲ ಸೆಸ್ ಹಾಕಿತ್ತು ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಈಚೆಗೆ ಇಂಡಿಯಾ ಸರ್ಕಾರದವರ ಆಡಳಿತಕ್ಕೆ ಹೋಗಿದೆಯೆಂದು ತಿಳಿಸಿದ್ದೀರಿ. ಈಗಲೂ ಈ ಕಾಫಿ ಸೆಸ್ಸನ್ನು ವಸೂಲು ಮಾಡುತ್ತಿದ್ದಾರೆಯೇ?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಇಂಡಿಯಾ ಸರ್ಕಾರದವರು ವಸೂಲು ಮಾಡುತ್ತಿದ್ದಾರೆ.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—Fact Finding Committeeಯನ್ನು ನೇಮಕ ಮಾಡಿದ್ದೀರಲ್ಲಾ; ಇದನ್ನು ನೇಮಕಮಾಡಿ ಎಷ್ಟು ದಿವಸವಾಯಿತು; ಆ ಕಮಿಟಿಯ ಸದಸ್ಯರು ಯಾರು?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—Fact Finding Committeeಯನ್ನು ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಏರ್ಪಾಡು ಮಾಡಿದ್ದಾರೆ. ಅದು ಈ ಸರ್ಕಾರದವರು ಏರ್ಪಾಡು ಮಾಡಿದ್ದಲ್ಲ.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಹಾಗಾದರೆ ಕಾಫಿ ಬೆಳೆಗೂ ಮೈಸೂರು ಸರ್ಕಾರದವರಿಗೂ ಏನೂ ಸಂಬಂಧವಿಲ್ಲವೇ?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಸೆಂಟ್ರಲ್ ಗೌರ್ನ್‌ಮೆಂಟಿನವರೇ ಈಗ ಕಾಫಿ ಬೋರ್ಡಿನ ಆಡಳಿತವನ್ನು ತಮ್ಮ ಸ್ವಾಧೀನದಲ್ಲಿಟ್ಟುಕೊಂಡಿದ್ದಾರೆ.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಈ Fact Finding Committeeಗೆ ಮೈಸೂರು ದೇಶದಿಂದ ಯಾರಾದರೂ ಸದಸ್ಯರಿದ್ದಾರೆಯೇ?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಇರಬಹುದು.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಅದನ್ನೂ ತಿಳಿದು ಕೊಳ್ಳದೆ ಉತ್ತರ ಕೊಡ ಹೊರಟಿರಾ? ಇಲ್ಲಿ ಹಂಡ್ರೆಡ್ ವೈಟಿಗೆ ಒಂದು ರೂಪಾಯಿ ರಫ್ತು ಸುಂಕವನ್ನೂ ಮತ್ತು ಹಂಡ್ರೆಡ್‌ವೈಟಿಗೆ ಒಂದು ರೂಪಾಯಿ ಎಕ್ಸೈಸ್ ಸುಂಕವನ್ನೂ ಹಾಕುತ್ತಿರುವುದಾಗಿ ತಿಳಿಸಿದ್ದೀರಿ. ಇವು ಮೈಸೂರು ಸರ್ಕಾರಕ್ಕೆ ಬರುತ್ತವೆಯೋ ಅಥವಾ ಇಂಡಿಯಾ ಸರ್ಕಾರಕ್ಕೆ ಹೋಗುತ್ತವೆಯೋ?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಇಂಡಿಯಾ ಸರ್ಕಾರದವರಿಗೆ ಹೋಗುತ್ತವೆ.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಮೈಸೂರು ಸರ್ಕಾರದವರು ಕಾಫಿ ಬೆಳೆಗಾರರಿಗೆ, ಕಾಫಿ ಬೆಳೆಗಾರರ ಹಿತದೃಷ್ಟಿಯಿಂದ ಏನಾದರೂ ಸಹಾಯ ಮಾಡುತ್ತಿದ್ದಾರೆಯೇ?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಮಾಡುತ್ತಿದ್ದಾರೆ, ಅನೇಕ ವಿಧಗಳಲ್ಲಿ.

ಶ್ರೀಮತಿ ಬಿ. ಎಲ್. ಸುಬ್ಬಮ್ಮ.—ಹಾಗಿದ್ದರೆ ಮೈಸೂರಿನ ಕಾಫಿ ಕ್ಯೂರಿಂಗ್ ವರ್ಕ್ಸ್‌ಗೆ ನಮ್ಮ ಹೆಚ್ಚಿನ ಕಾಫಿ ಹೋಗದೆ ಹುಣಸೂರು ಚಾಮುಂಡಿ ವರ್ಕ್ಸ್‌ಗೆ ಹೋಗುತ್ತಿರುವುದಕ್ಕೆ ಕಾರಣವೇನು?

ಡಾ॥ ಆರ್. ನಾಗನಗೌಡ.—ಆ ಸಪ್ಲಿಮೆಂಟರಿ ಪ್ರಶ್ನೆ ಇಲ್ಲಿ ಉದ್ಭವಿಸುವುದೇ ಇಲ್ಲ.